

MINUTES OF A REGULAR VOTING MEETING OF THE
FAIRFIELD PLANNING COMMISSION

September 10, 2014

Don Hassler, Vice-Chairman, called the Regular Meeting of the Fairfield Planning Commission to order.

Members present: Don Hassler, Bill Woeste, Bob Myron and Ron D'Epifanio.

Bill Woeste, seconded by Bob Myron, made a motion to excuse Scott Lepsky, Tom Hasselbeck and Mark Morris. Motion carried 4 – 0.

MINUTES OF THE PREVIOUS MEETING:

The minutes of the previous meeting, held August 27, 2014, were approved with one correction.

NEW BUSINESS:

Yearly Review of Conditional Use Approval – Lazy Lounge – 5353-G Dixie Highway

A slide was shown of the business location. Erin Donovan explained this is a center for kids to go to after school to play games and do homework. Ms. Temple Parker, owner, stated business has been slow. They've been closed the last several weeks but plan to re-open soon in conjunction with the start of football. There is also a woman who has expressed interest in helping students with the SAT and ACT tests coming up. She has had no problems at her business but a robbery did occur at one of the businesses in the center. The police viewed footage from the Lazy Lounge security cameras. Because of the robbery, Ms. Parker is considering putting additional security on the door where the kids will have to be buzzed in and out.

The general age of the kids is 15 to 17 but there is a fourth grader who regularly attends. Seventeen would likely be the oldest permitted. It's supervised by adults and the kids play games, study, listen to music and can purchase candy. The hours are from 2:30 to 7:00 p.m. during the week and 2:30 to 10:00 p.m. on Fridays.

Sgt. Pete Lagemann, Fairfield Police Department, stated he has stopped by on occasion and business did appear to be slow and there's been no issues. She is staying with what she originally proposed; how successful it would be was the question the Planning Commission had last year.

Don Hassler, seconded by Bill Woeste, made a motion to extend the Conditional Use approval for the Lazy Lounge at 5353-G Dixie Highway for another year with the same conditions: the hours be 2:00 p.m. until 8:00 p.m. on Monday thru Thursday and Saturday, Friday 2:00 p.m. until 8:00 p.m. with an extension until 10:00 p.m. during high school football and basketball seasons and closed on Sunday; the security system and cameras be maintained in working order; the approval will be for a period of one year; during the summer, the hours will be 12:00 noon until 8:00 p.m.; and, guidelines addressing security, supervision and dress code will be submitted to the Planning Department which has occurred.

The motion passed unanimously.

Conditional Use Application – Neighborhood Pub Establishment – 465-C Nilles Road

Slides of the location were shown. Ms. Donovan pointed out on one of the slides that the dumpster has been moved out of its enclosure and needs to be moved back. A memo outlining possible conditions of approval was given to the Commissions should this application be approved. The site is required to have 43 total spaces with 28 needed for the bar; they are proposing 57. Staff is concerned with the proposed parking on the west side. The spaces will be in close proximity to the gas canopy and there could be a conflict. Because the spaces are not really needed, staff is requesting they be removed.

Doug Gundrum, 1867 Neeb Road, Cincinnati, stated he is proposing a neighborhood club. He has been in the nightclub business for many years. He currently has a 28 acre outdoor facility on River Road that he is closing down for the season and would like to open another location. The 28 acre site is in a flood zone and obtaining building permits for a permanent structure has been difficult. He was the general manager of Average Joe's on Route 4 but left there to work on the River Road project. When he was at Route 4, the name was changed to the Blue Note and there were no problems.

Mr. D'Epifanio asked about the business plan for the bar. Mr. Gundrum stated he would have food; sandwiches, soups, wraps, etc. He would like to put a full kitchen in if this location is successful. The hours would be from 3:00 p.m. and close between midnight and 2:00 a.m., depending on business. This will be more of a happy hour/sports type bar. It will not be a nightclub nor there a DJ. The inside of the space is finished but he plans on making improvements. New flooring will be put down and a bar will have to be built. The HVAC system is adequate.

Mr. Gundrum said his target age range is 30 – 35+. If approved, he would also like to apply for an outdoor seating/smoking area in back of the building. Erin informed him approval would have to be given by the Board of Zoning Appeals. Noise would also be taken into consideration; no noise should be heard outside the building.

Mr. Woeste asked how the business would be run with Mr. Gundrum living in Western Hills. Mr. Gundrum said he would be moving to the area if this is approved. He will be the owner/operator and will be in and out of the business 7 days a week and probably 5 nights a week until closing. Mr. Woeste stated the City has had issues in the past with other proprietors who contracted out the management. Mr. Gundrum informed the Commission he also owned the Blue Note in Price Hill and could have leased it out but chose not to. He agreed to the six month trial period.

Signage and lighting were discussed. On the front ground sign, there is a blank area he can utilize. Ms. Donovan explained signage will have to be approved by the architectural review board. There are lights on the building and Mr. Gundrum thought a pole light is located near the dumpster. Security cameras can also be installed inside and out. He doesn't anticipate having bouncers or off-duty officers.

Sgt. Pete Lagemann stated he completed an extensive background check and met with Mr. Gundrum. The background check was clean. He did manage the Blue Note (bar facing Route 4) and there weren't any considerable issues. Sgt. Lagemann spoke with the Cincinnati Police Department and confirmed Mr. Gundrum owned the Blue Note in Price Hill and owns the Blue Note Yacht Club. The Blue Note in Price Hill closed because of the deteriorating neighborhood and the crowd it was drawing. The Cincinnati Police Department had no issues with either location. There were a few issues with his liquor license when he owned the Blue Note in Price Hill - serving under aged patrons, reduced priced drinks. Some of these he took to the Liquor Commission and was found innocent. Given the amount of time he owned the Blue Note, the infractions with the liquor license did not concern the Fairfield Police Department. There is a small concern with the new location because it does not face a major street and sits back. The Police Department would have more concern if this were a night club that had bands. According to Mr. Gundrum's description, it will be more like Gina's Lounge which had its regulars. Gina's was not much of a problem and fit the need of a certain clientele. The Police Chief was concerned with Sacred Heart being across the street and the near proximity of the Waterford. It's been a recent trend for the bars to want to have bands outside so he was concerned about noise. Other than that, there are no issues. Food is a requirement for a liquor license. It doesn't have to be much but something has to be offered. His plans seem to fit and wouldn't cause any problems to the Police Department.

Live music was discussed. Mr. Gundrum wanted the option of being able to have a band. The bars that have DJ's are usually the problem places. John Clemmons agreed and said the DJ's have large followings and that is when we have had issues. Mr. Gundrum stated there is a drop ceiling in the space which would eliminate noise going through the roof. He doesn't want to have a DJ but would like to be able to have a band. The space is really small so it couldn't be a large band; the DJ's play current music which tends to draw larger crowds.

Mr. Helsinger, Building Superintendent, stated if approved, Mr. Gundrum would have to contact the Building Department to submit plans for the interior renovations. Ms. Donovan stated because of the location, adjoining property owners were notified and we received no comments back.

Bill Woeste, seconded by Ron D'Epifanio, made a motion to approve a Conditional Use at 465 Nilles Road for a neighborhood bar and restaurant per the list of conditions which include:

1. Parking lot is to be striped per plan prior to obtaining a certificate of occupancy;
2. Doors are to be kept closed so noise cannot be heard beyond the property line;
3. Weeds along the west wall are to be removed prior to obtaining a certificate of occupancy;
4. Dumpster is to be located fully within the existing dumpster enclosure and to remain within said enclosure at all times, except when being emptied;
5. The approval is for a 6-month trial period from the date of approval. Applicant is required to return to the Planning Commission for a six month review.

Additional conditions included:

6. No DJ entertainment;
7. No outside promoters to operate the establishment; and
8. The business is to be operated in accordance with the business plan and that plan includes his commitment that he will personally be at the business on a daily and nightly basis.

In regard to the additional conditions, Mr. Clemmons explained that sometimes the owners are not happy with their original business plan and the plan changes where they bring in outside promoters to attract larger crowds.

The motion passed unanimously.

GENERAL DISCUSSION

Mr. Woeste announced a Joint Public Hearing is scheduled with the City Council on September 22nd at 7:00 p.m. to discuss the proposed changes to the car lots.

Being no further business, the meeting adjourned.

Don Hassler, Vice-Chairman

Peggy Flaig, Clerk